



Report 07.198

18 April 2007

File: E/06/17/02

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Report of the Meeting of the Utility Services Committee held in the Wellington Regional Council Chamber, Regional Council Centre, 142 Wakefield Street, Wellington on Wednesday, 18 April 2007 at 9.35 am

Matters for Council decision are shown in bold type and enclosed in a box
Matters for information of Council are in italic type

Present

Councillors Kirton (Chairperson), Aitken, Glensor, Greig, Laidlaw, and Long.

Officers Present

Kennedy, Laidlow, Leonard, Reay, Sells, and Shaw

Public Business

Procedural Items

US 82 **Apologies**

Resolved

(Cr Kirton./Cr Aitken)

That the Committee

Accepts the apology for absence from Councillor Buchanan.

US 83 **Public Participation**

No members of the public wished to participate in the meeting.

US 84 **Confirmation of Minutes**

Resolved

(Cr Glensor/Cr Laidlaw)

That the Committee

Confirms the public and public excluded minutes of the meeting held on 29 November 2006, Reports 07.03 and Report PE 07.10.

Matter for Information

US 85 **Divisional report for period February and March 2007**

Chris Laidlow gave a *Powerpoint* presentation on the improvement of water quality and capacity at the Te Mārua Water Treatment Plant.

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Resolved

(Cr Aitken/Cr Greig)

That the Committee

- (1) Receives the report.*
- (2) Notes the content of the report.*

Noted

- The Committee felt that valuable lessons had been learnt, particularly from the interaction between staff and consultants, and asked Officers to submit the Te Marua exercise as a case study to Professor Gary Hawke at the School of Government, Victoria University of Wellington.
- Officers were asked to prepare a note on the background of, and lessons learnt from, the “Be the Difference” campaign regarding water usage.

Other Matters

US 86 **Questions**

There were no questions.

US 87 **General**

There were no matters of general business.

US 88 **Exclusion of the Public**

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Resolved

(Cr Laidlaw/Cr Greig)

That the public be excluded from the following part of the proceedings of this meeting namely:

Laboratory Services Tender

The general subject of each matter to be considered while the public is excluded, the reasons for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<i>General subject of each matter to be considered:</i>	<i>Reason for passing this resolution in relation to each</i>	<i>Ground under section 48(1) for the passing of this resolution</i>
<i>Tenders received relating to the supply of services at the Greater Wellington Regional Council Laboratory</i>	<p><i>The information contained in the report is subject to mutually understood obligation of confidentiality. Release would be likely to prohibit future tenderers from tendering if they were aware that their names would be made public in advance of a tender decision being made. It is in the public interest that Greater Wellington receives tenders to ensure that Greater Wellington is able to attract the best possible tenderers.</i></p> <p><i>Release of the tender evaluation contained in the report would be likely to prejudice the commercial position of the tenderers as it would reveal their tender strategy and details of their operational methodology. In the circumstances, this is considered unreasonable</i></p>	<p><i>That the public conduct of the whole or relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 7(2)(c) 7(2)(b)(ii) and 7(2)(i) of the Local Government Official Information and Meetings Act 1987 (ie to protect information which is subject to an obligation of confidence which, if released would be likely to prejudice the supply of similar information and it is in the public interest that such information continue to be supplied, to protect information where the making available of that information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information and to enable Greater Wellington to carry on, with out prejudice or disadvantage, negotiations).</i></p>

given the competitive environment they operate in. Their competitors could use this information to undercut them.

Release of the 2007/08 budget for laboratory work would disadvantage the Council in its negotiations with the preferred tenderer and subsequent contract operations, as it would give an indication of the top price the Council would be willing to accept for the service.

Greater Wellington has not been able to identify a public interest favouring disclosure of this particular information above in public proceedings of the meeting that would override the identified prejudice.

This resolution is made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as specified above.

The open part of the meeting closed at 10.20 am.

CR R KIRTON
Chairperson

Date:

Wellington Regional Council – 8 May 2007

To be moved:

That Council

Adopts the report of the meeting of the Utility Services Committee held on 18 April 2007, items US 82 to US 88.